

ORDINANCE NO. 20101118-095

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6706 MOORE'S CROSSING BOULEVARD FROM INDUSTRIAL PARK (IP) DISTRICT TO COMMUNITY COMMERCIAL (GR) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from industrial park (IP) district to community commercial (GR) district on the property described in Zoning Case No. C14-2010-0001, on file at the Planning and Development Review Department, as follows:

A 11.039 acre tract of land, more or less, out of the Noel M. Bain Survey No. 1, Abstract No. 61, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

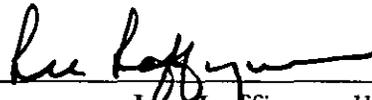
locally known as 6706 Moore's Crossing Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on November 29, 2010.

PASSED AND APPROVED

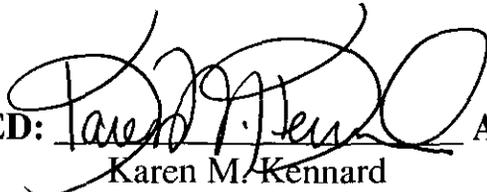
_____, November 18, 2010

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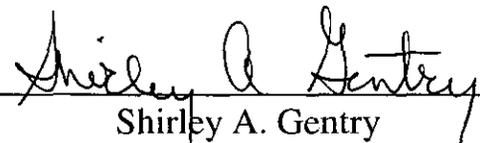
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
Acting City Attorney

ATTEST:



Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

C14-2010-0001

EXHIBIT "A"

SR Development, Inc.
M C Joint Venture
December 16, 2009

LEGAL DESCRIPTION

DESCRIPTION OF AN 11.039 ACRE (480,869 SQUARE FOOT) TRACT OF LAND OUT OF THE NOEL M. BAIN SURVEY NO. 1, ABSTRACT NO. 61, IN TRAVIS COUNTY, TEXAS, BEING OUT OF A 78.71 ACRE TRACT DESCRIBED AS TRACT 2 AND CONVEYED TO SR DEVELOPMENT IN A DEED OF TRUST RECORDED IN DOCUMENT NUMBER 2005235676 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 406.804 ACRE TRACT RECORDED IN VOLUME 11921, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 11.039 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2" iron rod with TXDOT aluminum cap found (Station 2547+52.22) at the intersection of the south right-of-way line of Elroy Road, a varying width right-of-way, and the west right-of-way line of Moore's Crossing Boulevard, a 70-foot wide right-of-way, for the northeast corner of this tract;

THENCE, with the west right-of-way line of Moore's Crossing Boulevard, the following five (5) courses:

- 1) S28°48'15"W, 233.58 feet to a 1/2" iron rod with cap set at a point of curvature of a curve to the left;
- 2) Along said curve to the left, having a radius of 685.00 feet, a central angle of 10°32'41", an arc length of 126.07 feet and a chord that bears S23°20'08"W, 125.89 feet to a 1/2" iron rod with cap set at the point of tangency of said curve;
- 3) S18°03'43"W, 463.68 feet to a 1/2" iron rod with cap set at a point of curvature of a curve to the right;
- 4) Along said curve to the right, having a radius of 615.00 feet, a central angle of 22°00'02", an arc length of 236.15 feet and a chord that bears S29°03'43"W, 234.70 feet to a 1/2" iron rod with cap set at the point of tangency of said curve;
- 5) S40°06'51"W, 171.25 feet to a 1/2" iron rod with cap set for a point of curvature of a curve to the right;

THENCE, along said curve to the right, having a radius of 25.00 feet, a central angle of $89^{\circ}57'01''$, an arc length of 39.25 feet and a chord that bears $S85^{\circ}05'17''W$, 35.34 feet to a 1/2" iron rod with cap set at the point of tangency on the north line of a 0.895 acre tract described in a deed to the City of Austin recorded in Volume 10861, Page 173, of the Real Property Records of Travis County, Texas;

THENCE, $N49^{\circ}56'17''W$, 359.54 feet, with the north line of said 0.895 acre tract, to a 1/2" iron rod with TXDOT aluminum cap found (Station 2559+95.23) on the east right-of-way line of State Highway 130, a varying width right-of-way, at the southwest corner of this tract, from which a TXDOT aluminum cap found (Station 2559+28.40) bears $S23^{\circ}20'14''W$, 66.83 feet;

THENCE, with the east right-of-way line of State Highway 130, the following two (2) courses:

- 1) $N23^{\circ}20'14''E$, 837.53 feet to a 1/2" iron rod with TXDOT aluminum cap found (Station 2551+28.41) for an angle point of this tract;
- 2) $N47^{\circ}51'07''E$, 306.54 feet to a 1/2" iron rod with TXDOT aluminum cap found (Station 2548+10.40) on the south right-of-way line of Elroy Road for the northwest corner of this tract;

THENCE, $S69^{\circ}25'15''E$, 301.08 feet, with the south right-of-way line of Elroy Road and the north line of this tract, to the **POINT OF BEGINNING** and containing 11.039 acres (480,869 square feet) of land.

BEARING BASIS NOTE

All bearings described herein are based upon the Texas State Plane Coordinates System, NAD 83 (1986) South Central Zone. Based on a survey done by MAI dated December 26, 2007.

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §

That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 16th day of December, 2009, A.D.



Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

Carmelo L. Macias

Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 – State of Texas

REFERENCES

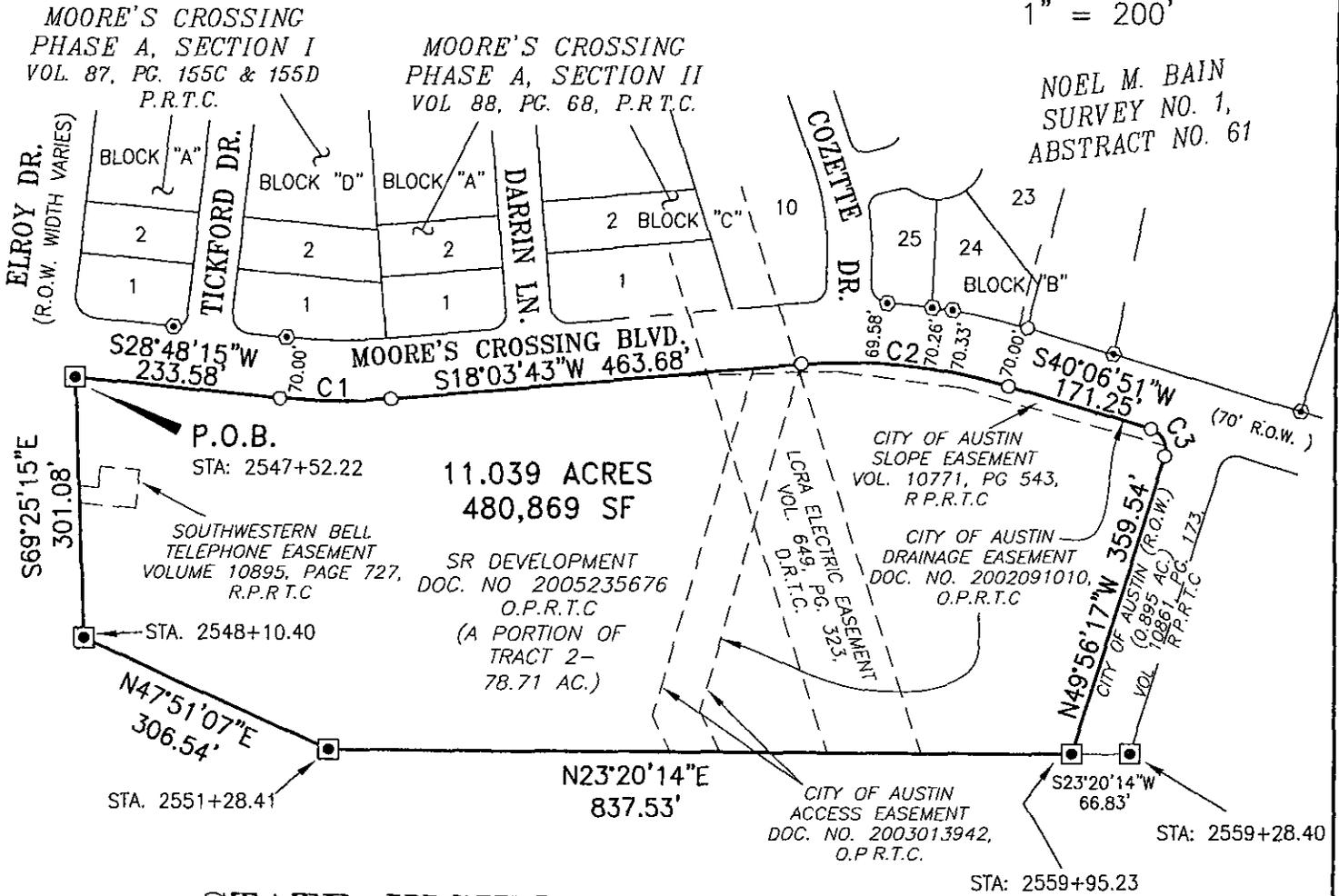
Austin Grid No. N 12
TCAD PARCEL ID NO. 03-3931-0107
MACIAS & ASSOCIATES, L.P., PROJECT NO. 420-02-07

SCANNED

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



GRAPHIC SCALE
1" = 200'



STATE HIGHWAY 130 (R.O.W. WIDTH VARIES)

STATE OF TEXAS }

COUNTY OF TRAVIS }

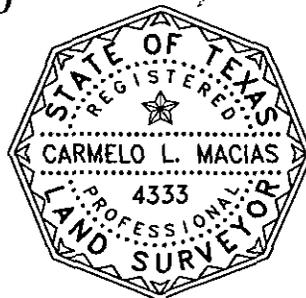
TO: MC Joint Venture, SR Development, American Bank, N.A. and Lawyers Title Insurance Corporation

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

MACIAS & ASSOCIATES, L.P.

Carmelo L. Macias Dec 14, 2009

CARMELO L. MACIAS DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4333



THE INFORMATION SHOWN ON THIS SURVEY IS BASED ON A SURVEY DONE BY MAI DATED DECEMBER 26, 2007.

PAGE 4 OF 5

Job No.: 420-02-07 Scale: 1" = 200' Date: 12-16-2009
Field Book: 492, Page 3 Drawn by: D.L.M. Checked by: C.L.M.

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

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5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745
PH. (512)442-7875 FAX (512)442-7876
WWW.MACIASLANDSURVEYORS.COM

SCANNED

LEGEND

- 1/2" IRON ROD FOUND W/TX DOT ALUMINUM CAP (UNLESS NOTED),
- ⊙ 1/2" IRON ROD FOUND WITH PLASTIC CAP (UNLESS NOTED)
- 1/2" IRON ROD SET WITH PLASTIC CAP
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- P.R.T.C. PLAT RECORDS OF TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.R.T.C. OFFICIAL RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- () RECORD INFORMATION

BEARING BASIS:

ALL BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (1986), CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR IS 1.00011.

No portion of this survey is within the 100-year flood plain boundary as shown on the Flood Insurance Rate Map Community - Panel Number 48453C0620H, revised date: SEPTEMBER 26, 2008.

CURVE DATA

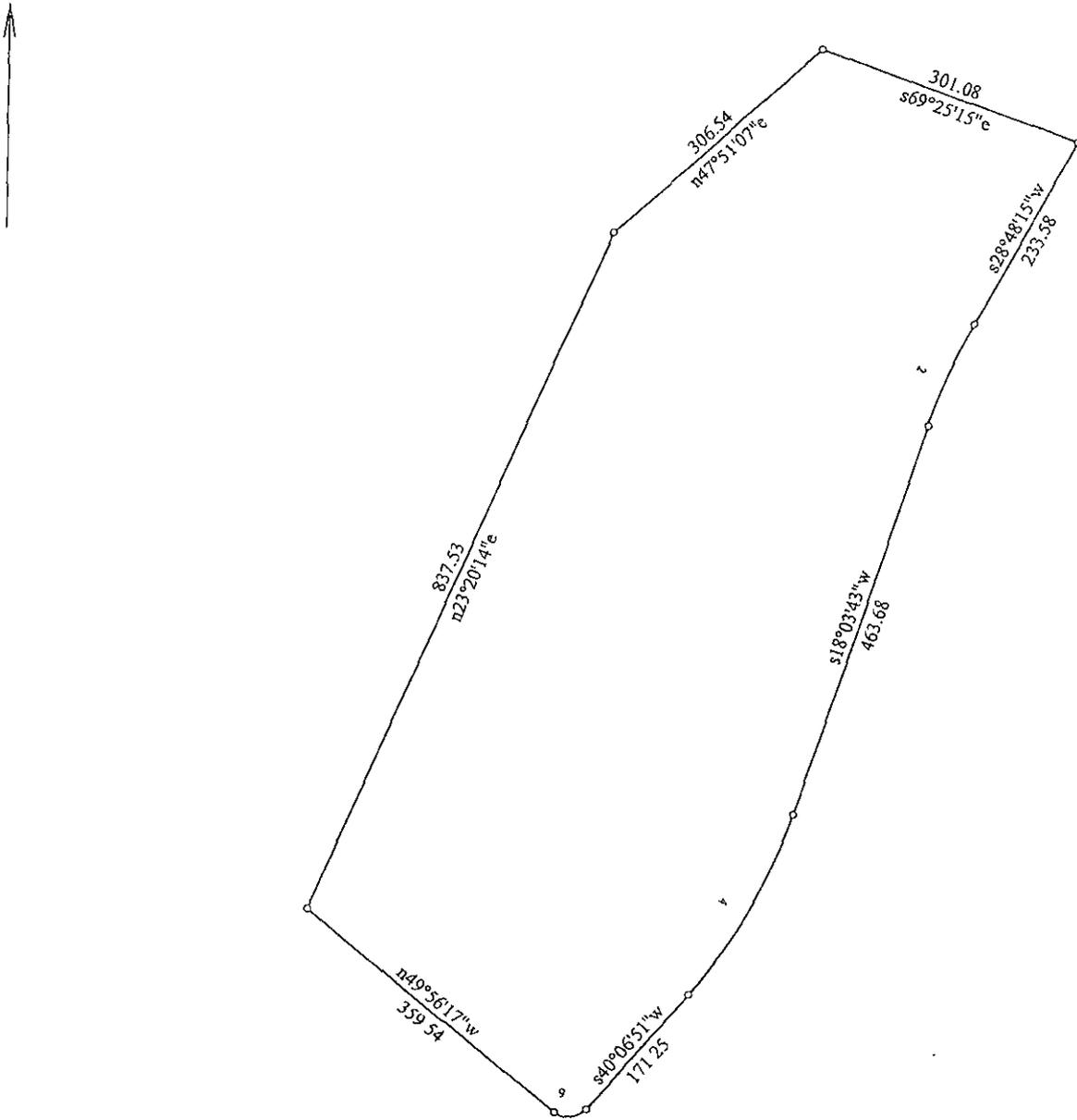
NUMBER	Delta Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	10°32'41"	685.00	126.07'	125.89'	S23°20'08"W
C2	22°00'02"	615.00	236.15	234.70	S29°03'43"W
C3	89°57'01"	25.00	39.25	35.34	S85°05'17"W

The easements shown or noted and addressed on this survey are those listed in Schedule B of title commitment issued by Lawyers Title Insurance Corporation, GF No. 0716952-RHA, effective date: November 1 2007.

The following easements do not apply to this tract:

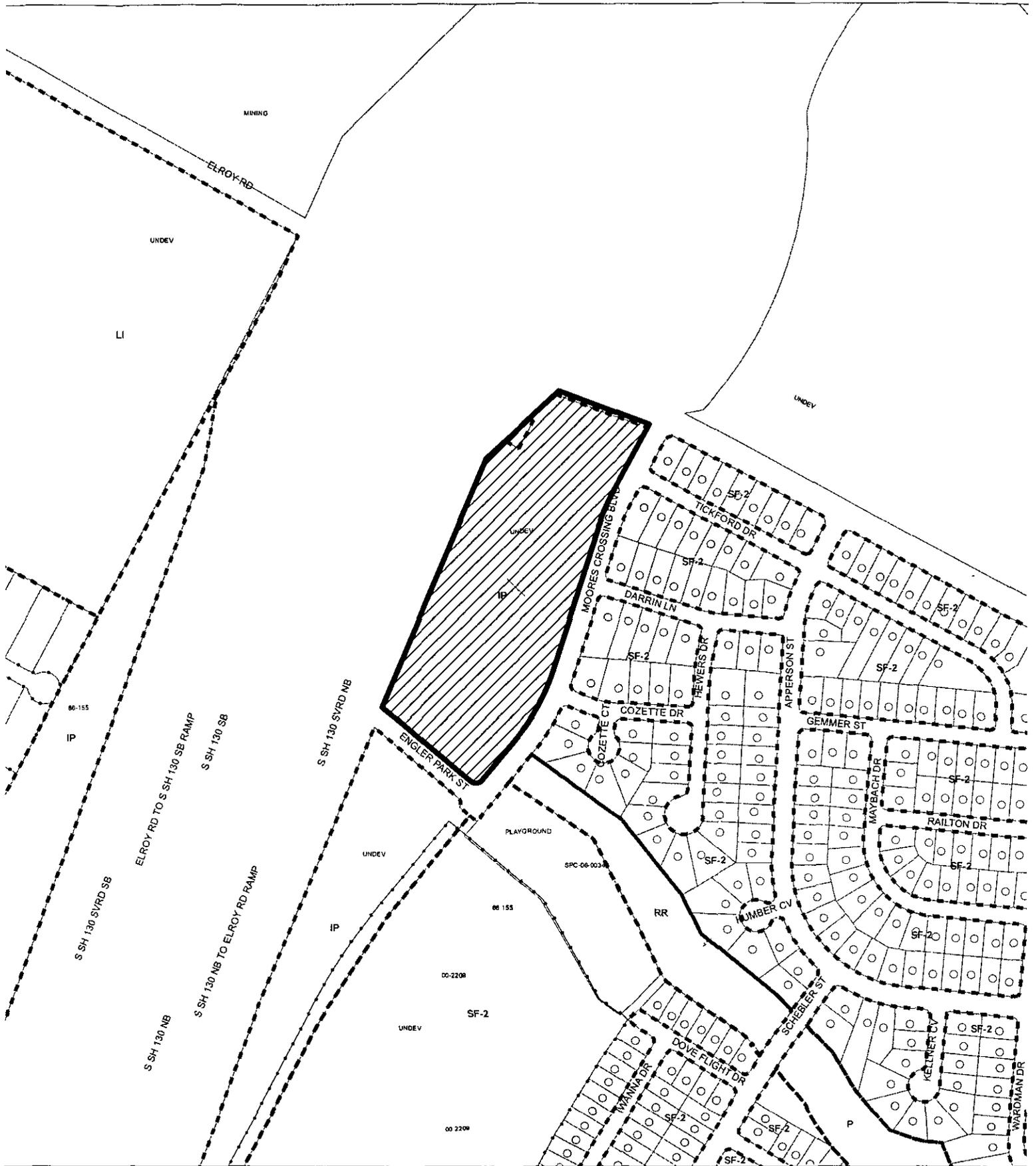
- Volume 434, Page 332, Shell Pipeline Easement
- Volume 628, Page 550, Shell Pipeline Easement
- Volume 10753, Page 946, City of Austin
- Volume 10762, Page 152, Lone Star Gas Company Easement
- Volume 10894, Page 198, Ensearch Corporation Easement
- Volume 10908, Page 1480, City of Austin Electric and Telephone Easement
- Volume 10979, Page 730, Koch Refining Company Easement
- Volume 10753, Page 937, Travis County Slope Easement
- Volume 10771, Page 538, Drainage Detention & Access Easement
- Document No. 2002193264, City of Austin Electric Easement
- Document No. 2002151212, City of Austin Electric Easement
- Document No. 2002151211, City of Austin Electric Easement
- Document No. 2002091010, City of Austin Drainage Easement
- Document No. 2002091009, City of Austin Drainage Easement

SCANNED



Title: 11.039 Plat		Date: 12-16-2009
Scale: 1 inch = 200 feet	File: 11.039 AcPlt.des	
Tract 1: 11.039 Acres: 480867 Sq Feet: Closure = s24.0533w 0.05 Feet: Precision = 1/61495: Perimeter = 3075 Feet		
001=s28.4815w 233.58 002: Lt, R=685.00 Bng=s23.2008w, Chd=125.89	005=s40.0651w 171.25 006: Rt, R=25.00 Bng=s85.0517w, Chd=35.34	009=n47.5107e 306.54 010=s69.2515e 301.08
003=s18.0343w 463.68 004: Rt, R=615.00 Bng=s29.0343w, Chd=234.70	007=n49.5617w 359.54 008=n23.2014e 837.53	

SCANNED



ZONING EXHIBIT B

ZONING CASE#: C14-2010-0001
 LOCATION: 6706 MOORES CROSSING BLVD
 SUBJECT AREA: 11.039 ACRES
 GRID: N13
 MANAGER: WENDY RHOADES



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This map has been produced by the Communications Technology Management Dept on behalf of the Planning Development Review Dept for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness